

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:17-CV-187-BO

PASSPORT HEALTH, LLC,
Plaintiff,

v.

AVANCE HEALTH SYSTEM, INC.,
Defendant.

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ORDER

This matter comes before the Court on motion for bill of costs [DE 87] filed by defendant Avance Health Systems, Inc.

Defendant previously filed a motion for extension of time to file a motion for attorney fees [DE 82], and later filed an amended motion [DE 85] seeking an extension of time to file a motion for bill of costs. The Court granted defendant's amended motion for extension of time [DE 85] and extended the attorneys' fee motion deadline to January 9, 2019 [DE 101], but did not address defendant's request to extend the deadline to file the motion for bill of costs. The Court now ORDERS that the deadline to file the motion for bill of costs was extended to January 9, 2019, and defendant's motion for bill of costs [DE 87] is deemed timely filed.

Given the pending appeal in this matter, the Court DENIES defendant's motion for bill of costs WITHOUT PREJUDICE, and grants permission to refile and incorporate the filings at docket entries 87 and 88 by reference following the issuance of the mandate of the court of appeals, if appropriate. If defendant refiles the motion for bill of costs, plaintiff may file its objections pursuant to Local Civil Rule 54.1(b).

SO ORDERED, this the 29 day of August, 2019.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE